

REMARKS

In response to the Official Action mailed June 12, 2006, Applicant submits the following amendments and remarks.

In the Official Action, claims 13 and 16 are rejected under 35 U.S.C. §112 (second paragraph) as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner asserts that claim 13 lacks insufficient basis as does claim 16.

In response to this rejection, Applicant has amended claim 5 so as to provide the correct antecedent basis for claims 13 and 16. No new matter has been added to the claims as a result of this amendment.

CLAIM REJECTION 35 U.S.C. §103 - KAUFMANN

Claims 5-7 and 13-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,582,140 to *Kaufmann*. Claim 5, which is the only independent claim of the present invention includes a recitation that the first end of the shaft is engageable to a mechanical tool. Further, Applicant has amended claim 5 so as to assert that the first end of the shaft is smooth. As shown in the figures of *Kaufmann*, it is clear that *Kaufmann* discloses a non-smooth shaft as well as a first end which is not engageable to a mechanical tool. Nor would it have been obvious to restructure the shaft of *Kaufmann* so that the shaft was engageable with a mechanical tool. Thus, Applicant asserts that claim 5 as well its dependent claims are patently distinct from *Kaufmann*.

CLAIM REJECTION 35 U.S.C. §103(a) - GLAS

Claims 5-7, 9-10, 13 and 15-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,165,362 to *Glas*. Similar to *Kaufmann*, *Glas* does not disclose a first end of a shaft that is engageable to a mechanical device. Rather the brush of *Glas* is for hand use and cannot be engaged to a mechanical tool. Thus, for reasons consistent with those made with regard to *Kaufmann*, Applicant asserts that claim 5 as well as its dependent claims are patently distinct over *Glas*.

CLAIM REJECTION 35 U.S.C. §103 - MEYER

Claims 5-7, 9-10 and 13-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,633,592 to *Meyer*. Once again, as with *Kaufmann* and *Glas*, *Meyer* does not disclose a shaft which is engageable to a mechanical device, nor does it disclose a smooth surface disposed at the first end. The only mentioning of the brush is where *Meyer* discloses that the brush is mounted at the end of a hollow tube 22 by means of a pin. The pin must pass through a hole in the first end of the shaft and thus cannot include a smooth surface.

CLAIM REJECTION 35 U.S.C. §103(a) - RIVERA

Claims 5-11 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,809,601 to *Rivera*. Newly amended claim 5 includes the recitation that the first end of the shaft is smooth. In contrast, the first end of the shaft in *Rivera* includes a threaded end. The threaded end of the shaft limits the ability of the brush to be attached to

mechanical devices. Thus, Applicant asserts that the claims of the present application are patently distinct over *Rivera*.

CLAIM REJECTION 35 U.S.C. §103(a) - WARNER

Claims 5-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5, 599, 225 to *Warner, et al.* Similar to *Meyer, Glas* and *Kaufmann*, *Warner* does not disclose a shaft having a smooth surface that is engageable to a mechanical device. Thus, Applicant asserts that claim 5 as well as its dependent claims are patently distinct over *Warner*.

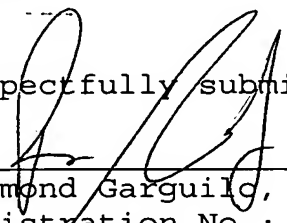
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: September 12, 2006

Respectfully submitted,

By 

Raymond Garguilo, Jr.
Registration No.: 50,930
LERNER, DAVID, LITTENBERG,
KROMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant